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OFFICE OF PETITIONS

In re Application of :  
Matheus Nogueira et al :  
Application No. 10/710,743 :  
Filed: July 30, 2004 :  
Attorney Docket No. 20.2909 :

ON PETITION

This is a decision on the petition under 37 CFR 1.78(a)(6), filed November 7, 2005, to accept an unintentionally delayed claim under 35 U.S.C. § 119(e) for the benefit of prior-filed provisional Application No. 60/511,212, filed October 15, 2003.

The petition is **DISMISSED AS MOOT.**

The Office is unclear as to why the above petition was filed since the benefit claim to Provisional Application No. 60/511,212, was present in the specification upon filing of the instant application. Therefore, the petition is unnecessary and dismissed as moot.

Telephone inquiries should be directed to the undersigned at (571)272-3208.

This matter is being forwarded to Technology Center AU 3672.

Karen Creasy  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy